

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

NATIONWIDE MUTUAL FIRE
INSURANCE CO., as subrogee of ROBERT
SHARKEY and LYNN SHARKEY,

Plaintiffs,

v.

C.A. No. 1:07-CV-00153 JJF

SEARS, ROEBUCK AND CO., a
Massachusetts corporation,

Defendant.

NOTICE OF DEPOSITION

TO: Steven L. Smith, Esquire
Law Offices of Steven L. Smith, P.C.
404 Harvard Avenue
Swarthmore, PA 19081

PLEASE TAKE NOTICE THAT on Friday, June 6, 2008 at 1:00 p.m., Defendant, SEARS, ROEBUCK AND CO., by counsel, will take the depositions of Lynn Sharkey and Robert Sharkey at the offices of Dickie, McCamey & Chilcote, P.C., 300 Delaware Avenue, Suite 1630, Wilmington, DE 19801-1607 before an officer fully authorized by law to administer oaths.

If for any cause the deposition does commenced on the aforesaid date, the deposition will be adjourned from day to day and from time to time until the same shall be completed. Said deposition is for the purpose of discovery and/or evidence, or both, at the trial of the above case.

You are invited to appear and take such part as deemed appropriate in accordance with the Rules of the United States District Court for the District of Delaware.

DICKIE, MCCAMEY & CHILCOTE P.C.

Respectfully submitted,

/s/ William R. Adams

William R. Adams, Esquire
(Bar I.D. 4972)
Dickie, McCamey & Chilcote, P.C.
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And

Frederick W. Bode, III, Esquire
Admitted Pro Hac Vice (PA 33391)
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(412) 281-7272

Attorneys for Defendant
Sears, Roebuck and Co.

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing NOTICE OF DEPOSITION has been served this 30th day of May, 2008, by facsimile and U.S. first-class mail, postage pre-paid, to counsel of record listed below:

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Attorneys for Plaintiffs

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/s/ William R. Adams
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